JFR.Vol.X.1(2002)19-49

The Metaphysics of *Dharma*

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I. *Samanvaya*

In the present essay I intend to draw out the truth claim of the *Dharmaśāstra* tradition on us. To understand a tradition i.e. to arrive at the truth of a tradition I found the tenets of modernity quite inadequate. The ground of modernity is the empiricist epistemology with its subject object dichotomy, a point which we will discuss in detail later. If we intend to get knowledge of truth of a tradition we have to take the stance, of the subject and enter into an epistemic relation with the tradition as its object. Any body who takes the stance of subject must stand outside the tradition and since every body to get knowledge of tradition must stand outside it, the tradition dissolves losing all its claim to truth, in fact it ceases to be living tradition. So tenets of modernity were of no help to get at the truth claim of a living tradition.

Hence I had to look for a way of understanding a living tradition that will preserve its claim to truth on us. The idea of understanding that I took is an amalgamation of Gadamer's hermeneutics, Derrida's deconstruction and our *mimāṁsā* tradition's *anvaya*. According to this view if we want to arrive at the truth of a tradition then we must understand the text of a tradition. We understand the texts of a tradition when we establish *samanvaya* or harmony of the texts.[1] *Anvaya* means construing the text according to the seven characteristics of truth or *Sat Lingas*, viz: 1. *Upakrama Upasaṁhāra Ekavākyatā*: agreement in beginning and conclusion, 2. *Abhyāsa*: repetition, 3. *Apūrvatā*: uniqueness of the object of texts, 4. *Phala*: fruit, 5. *Arthavāda*: praise, 6. *Yukti*: reasoning and 7. *Vyatireka*: criticism.[2]

Upakrama Upasaṁhāra Ekavākyatā i.e. agreement in beginning and conclusion can happen only in a understanding of texts that is circular in nature.[3] How can the understanding of text be circular? Here we take help of Gadamer's hermeneutics. According to Gadamer the interpreter projects an expectation about the whole text before he has read the whole text, which expectation is therefore a prejudice. This prejudice is used to interprete the parts. The interpretation of parts may force us to abandon the initial projection of meaning on the whole text as unsatisfactory and a new meaning on the whole text is projected on the basis of the reading of the parts so far. As more and more parts come into view this anticipation of the meaning of the text is continually revised until all the parts are integrated. At this point the circle of interpretation is closed and interpretation is complete and the real whole is understood without prejudice in terms of itself. This is the famous hermeneutic circle of understanding or dharma chakra as I like to call it.

To complete the hermeneutic circle, as noted above, the projection has to be revised continually to integrate understanding of all the parts with the understanding of the whole. For this the text needs to be read again and again. This is the second point i.e. *Abhyāsa* or repetition.

Here one may raise an objection. If one begins to understand the individual parts of a text in light of an assumption as to the meaning of its whole, it is not clear how these parts so understood can lead one to change one's understanding of the whole. Conversely if one projects a meaning of the whole on the basis of an interpretation of the way in which individual parts cohere with one another, how can the understanding of the whole, so projected, lead one to change understanding of the parts? Why, in other words, is the hermeneutic circle not simple but a vicious one in which one's understanding of the individual parts of a text confirms one's assumption as to the whole and vice-versa?

To avoid the viciousness of the circular understanding the circle must be completed through a hermeneutic dialogue with the text of the tradition according to Gadamer. The idea of hermeneutic dialogue is quite similar to and can be taken as an analysis of the idea of *pratyavimrśa* of Bhartṛhari's *Vākyapadiya*.[4] In a hermeneutic dialogue one must take what the tradition says as an expression of the topic at hand and it must be taken as addressed to the person inquiring into the truth of tradition, since any dialogue consists in mutual concern with a common topic. Hence in the dialogue the relationship must be reciprocal, each prepared to listen to the other. This listening to what the other says requires openness i.e. openness to the fact that there is a possibility of learning something from the tradition, the possibility of oneself being questioned in the very process of questioning the tradition. And this possibility to be open requires asking open questions. A dialogue does not consist of a statement and counter statement. A statement disguises the fact that it is a reply to a prior question. A hermeneutical question is neither rhetorical nor pedagogical. A rhetorical question gives its own answer, and a pedagogical question leads the pupil a certain distance in a particular direction to complete the answer. But the hermeneutical questions are bound by a horizon. The horizon limits the possibilities of an answer, the possibility of the things being this way or that way.[5] The hermeneutical dialogue is an art of questioning. In a substantive dialogue in which both partners are concerned to reach a mutual understanding, the object of conversation is what both want to understand and it is by reference to this object that they reach mutual understanding. This joint object and not the partners conducts the conversation. In such a conversation with the tradition the reciprocity is realized when the interpreter asks a question to the tradition but in which he in turn is put in question. This is how the question raised by the tradition merges with the interpreter's own questioning in the dialectical play which results in what Gadamer says fusion of horizons.

No doubt Gadamer is on the correct path in trying to rebut the charge of viciousness of the hermeneutic circle, by focusing the gaze on the object of inquiry. The object of inquiry is the tradition, unfolding in time in front of one with whom it is having a conversation. So the question is what is the nature of this unfolding tradition, which is the object of inquiry. The answer is in terms of the other five marks of truth as mentioned above from 3 to 7.

The unfolding tradition as the object of inquiry i.e. the object of the text must be unique i.e. not available through any other source than the present textual interpretation or anvaya. The uniqueness refers to the newness of the tradition in unfolding. For when we understand the text, we cannot repeat the same words as the text, for that would exhibit no understanding. To exhibit understanding the meaning or the object of the text must be expressed in one's own terms, one's own language and hence there is need for uniqueness or newness of the tradition unfolding.

But mere uniqueness is not enough. The projected meaning of the text of the tradition as the object of the text, must be *phalaprada* i.e. fruitful. That is to say that the projected meaning of the text as the unfolding of the tradition must be such that one can live by it i.e. the people involved in it can live by it, and only if this condition is satisfied that tradition can unfold as the projected meaning of text of the tradition. This point of application as a moment of understanding or realization of truth understood is very central to hermeneutic interpretation or anavaya. Here Aristotelian phronesis becomes relevant and it also accounts for the uniqueness of the meaning, for the text as a universal must be applied to the time of the inquirer leading to the modified interpretation of the text i.e. the universal. Hence according to hermeneutics to understand is to be.

But how can the tradition unfold as the projected meaning of the text of the tradition ? By being praiseworthy or *arthavāda*. This can be achieved by mutual hermeneutic dialogue or

pratyavimarśa with the contemporaries and the aesthetic consciousness becomes relevant here. And none rule faculties like taste, and judgement and commonsense come into play.

This also will not suffice. It must be shown that the projected meaning correctly emerges out of the tradition whose text is being studied i.e. *upapatti* or *yukti*. It is akin to Plato's aletheia or discovery, and there is joy of recognition. It is also akin to *vedānta*'s conception of knowledge. It is not a methodic act of an agent but a happening of event of emergence of truth or the unfolding of tradition. Hence understanding belongs to the being understood. That is to say the understanding that emerges is not the understanding act of an agent but the understanding or *anvaya* belonging to the tradition that is emerging.

And lastly *vyatireka* means, when the text of tradition is understood according to the six marks of truth, something of the text or the older tradition gets deconstructed or criticised or is negated. This also accounts for the newness or uniqueness of the unfolding tradition.

The idea of understanding which I have tried to outline above is quite congenial to the idea of *dharma*. As is well known *dharma* is derived from root *dhṛ* which has both *ātmnepada* and *parsmepada* forms. So *dharma* holds us and the *sansāra*. The idea of understanding developed is such that *to understand is to be* and *understanding belongs to the being understood*. So the idea of understanding outlined above is the idea of understanding suitable to *dharma*.

II. Natural Law and Positive Law controversy

In this section I intend to show that *dharma* can be identified neither with natural law nor with positive law as understood in the traditional natural law and positive law controversy.

Both sides of the natural law and positive law controversy are based on a common metaphysics which is modern according to modern metaphysics or metaphysics of modernity, the thesis of the distinction between subject and object and the subject

standing in the epistemic relation to the object i.e. the subject knowing the object is central to the analysis of cognitive experience. In fact this thesis can be said to define and identify the very cognitive experience from other experience that a person may have according to modernity.

The entire modern metaphysical tradition which began with Cartesian distinction between mind and matter, tried to clarify the nature of the subject, object and their epistemic relation. Locke, Berkeley, Hume, Spinoza and Leibnitz grappled with this problem of the Cartesian dualism but the tradition reached its zenith and culmination in Kant's *Critique of Pure Reason*. In this first critique Kant tried to determine the transcendental condition of maintaining the distinction of subject and object yet standing in epistemic relation.

Precisely at a time when the subject–object distinction was being articulated by Descartes (1596-1650) another master of modernity, Hobbes (1588-1679) was also developing the conception of civil society commensurate with the articulation of the cognitive experience. He was developing the idea of individual in the state of nature and the construction of society artificially from the state of nature through individual will and contract.

In the contract tradition the idea of state of nature is an analytic postulate without argumentation to be used as premise for desired conclusions. But I shell try to develop the simplest analytic connection between the subject– object dichotomy of epistemic experience and the conception of state of nature as Hobbes saw it which was later taken over by Locke, Rousseau, Kant for developing their political philosophies of natural law variety.

When any member of the society takes the stance of the subject i.e. conceives himself as subject to get knowledge of society i.e. conceives the society as the object of knowledge then he must necessarily reflect himself out of the society, out of all social relations, since the transcendental condition of the epistemic relation as determined by modernity requires

that the duality of subject and object be maintained. To maintain the duality of subject and object i.e. himself and society, the subject must conceive himself as outside the society. That is to say when any member of society conceives himself as the subject of the epistemic experiential relation of which the object is society, he must reflect himself out of all social relation i.e. he must conceive himself as an individual. This is the transcendental requirement of the subject– object dichotomy applied to society.

Any member who by taking the stance of the subject reflects himself out of all social relations also when conceives each member of society as a subject he reflects them each out of all social relations and hence conceives them each as individual. So the logic of subject– object dichotomy leads inevitably to the collapse of society, the society is reflected out of existence since each member is conceived as individual. This is the reason why modernity cannot admit the ontological autonomy of society and admits only the existence of individuals and thereby begets individualism in social and political philosophy. Together with society, by similar arguments, both tradition and history also get dissolved as no one belongs to tradition and history.

The conception of individuals standing in no social relation to each other without tradition and history is the conception of state of nature of political philosophy generated by the analysis of cognitive experience of society by modernity.

So far only the notion of the subject who is an individual is introduced by the logic of the subject– object dichotomy, more has to be added to the subject who is an individual, and there arises the necessity of attributing free will to individual subject so that society can be generated by the exercise of free will. Mere free will is not sufficient to generate society from the state of nature, but also is needed the idea of rules or principles by following which society can be generated. These principles and rules recognized by individuals in the state of nature are nothing but the natural laws or laws of

nature or laws of right, discovered by reason.

All the important modern natural law thinkers like Hobbes, Locke attribute will and knowledge of laws of nature to individuals in the state of nature without much argumentation. It was only Kant who realized that will (and natural law) is not the object of cognitive experience or knowledge i.e. it cannot be part of the phenomenal world and nor has he proved that it is a transcendental condition of the cognitive experience, so it must have an independent deduction. Although he had opened up the possibility and mind you, it was only a possibility regarding will being established by the third antinomy, for the *first critique*, will remained a problematic notion.

Kant laboured through the *Groundwork* and the *critique of Practical Reason* for a transcendental deduction of will. But the transcendental deduction or the very heart of the deduction amounted to a single terse line in the *Groundwork*. "I assert that every being who cannot act accept under the idea of freedom is by this alone – from a practical point of view – really free, that is to say for him all the law's inseparably bound of with freedom are valid just as much as if his will could be pronounced free in itself on grounds valid for theoretical philosophy."[6] The reality of freedom of will and validity of its principle are realized not by entering into an epistemic experiential relation with the will but the very acting it out in its reality. When the subject that is an individual acts, he brings the will together with its laws into being.

In the transcendental deduction of the will, Kant had proved at once too much which threatened to undermine his theoretical edifice. Not only the reality of will is realized in the very acting out of it but also the laws associated with freedom are being realized in this acting out. The will, realized in the very acting out of it, turns out to be the will governed by the law of autonomy. And what is the law of autonomy? It is nothing less than the formula of the kingdom of ends; so act as if you were through your maxims a law-making member of a kingdom of ends. So in a way the deduction

succeeds to prove the reality of will conceiving itself as making laws in a kingdom of ends. This is not what Kant had to prove. He had to prove the reality of an individual will and not a social will. If he has succeeded in proving the reality of social will then he has refuted his own subject-object dichotomy as applied to society. But he accepts the idea of state of nature for the purpose of political philosophy. So how to get out of this contradiction?

Kant gets out of this contradiction by bifurcating the will into *Willkur* and *Whille*. A distinction which Kant translators ignore but which has given Kant scholars a lot of exegetical problem of making a sense out of this bifurcation. Kant takes *Willkur* to be the executive will, the faculty of initiating a new causal series in time, the spontaneity, the reality of which he needed to prove if he wanted to be consistent with his individualism. But he succeeded in proving also the *Wille,* the normative will, the faculty of law, independent from any pregiven law. This is the distinction between the will that is in being and the will that is a norm to be. This is the distinction that goes by the name of is-ought gap or fact-value dichotomy in the literature of modernity, a distinction accepted by Kant as well.

Kindly recollect, the transcendental deduction proved only the being of undifferentiated will. The differentiation is introduced subsequently to make it consistent with the doctrine he has already admitted in the analysis of epistemic experience.

When the Wille i.e. normative will, comes into competition with empirical self (with its desire, self interest, inclination known through cognitive experience) while controlling the executive will i.e. *Willkur,* the normative will or *Wille* appears as an obligation i.e. the idea of ought emerges. This is how the normative order is conceived.

Kindly remember, the law obliges in foro interno only and it does not oblige, in foro externo in the state of nature. That is to say in the state of nature one is not under an obligation to follow the law through external action and hence

the law does not exist in the sense that individual follow it in action. Modern natural law thinkers conceive the natural law or law of nature in this sense, since the condition of following the law of nature do not obtain in the state of nature. Hegel's idea of moralitat captures this idea more accurately. "With Moralitat... we have an obligation to realize something which does not exist what ought to be contrasts with what is. And connected with this, the obligation holds of me not in virtue being part of a larger community life, but as a rational will."[7]

Contrasted with this is what Hegel calls Sittlichkeit i.e. the moral obligation that one has to an on going community of which he is a part. "The crucial characteristic of Sittlichkeit is that it enjoins us to bring about what already is. This is a paradoxical way of putting it, but in fact common life which is the basis of my sittlich obligation is already there in existence. It is in virtue of its being an on coming affair that I have these obligations and my fulfilment of these obligations is what sustains it and keeps it in being. Hence in Sittlichkeit there is no gap between what ought to be and what is, between Sollen and Sein."[8] Conception of *dharma* is similar to Hegel's Sittlichkeit. It is not like Morlitat. Hence *dharma* cannot be identified with modern natural law.

So far we have introduced the idea of natural law. We have yet to develop the idea of positive law.

Let us look at the conception of normative will with its categorical imperative. It is the idea of will as a law-making member of the kingdom of ends. It has intrigued Kant scholars why should Kant formulate one version of the categorical imperative in terms of what he calls a kingdom of ends? Why should the moral relationship among autonomous will be modeled on the relationship which will be borne to one another by members of an ideal political association? The answer is that society can be generated from the state of nature if and only if the persons in the state of nature have an effective good will i.e. *Willkur* following the categorical

imperative of *Wille* and this society has to be a political society, a society based on coercion i.e. a state. That is to say a society-generated form the state of nature following the natural law must be a political society or a state. Why?

It is an empirical fact that human beings act in a violent and malevolent manner and that they tend to fight among themselves in the absence of external coercive sanctions. As Hobbes argued the state of nature is a state of war. But Kant is not satisfied with this contention that state of nature is a state of war on empirical grounds only. For in his own *second critique* he has argued for the effectiveness of respect for the moral law overcoming the impulse of the empirical self. So if individuals have effective respect for moral law then how can there be conflict?

To overcome this difficulty Kant develops a transcendental argument. "But it is not experience or any kind of factual knowledge which makes public legal coercion necessary."[9] For even if we imagine men to be law abiding saints, in the absence of a public coercive order i.e. in the state of nature, people can never be secure against acts of violence from another since "each will have his own right to do *what seems right and good to him* independently of the opinion of others."[10] This is to say if everyone is acting according to what he conceives as natural law then no one is secure from the coercion of others. And this is the reason why even if people cognize law of nature in the state of nature they cannot follow it as claimed before i.e. the law of nature is not there in the state of nature, but it ought to be.

So it becomes a prior requirement of reason or natural law or moral duty "to adopt the principle that one must abandon the state of nature in which everyone follows his own desires and unite with everyone else... in order to submit to external public lawful coercion."[11] This is the demand of *Wille* on *Willkur*. This is the demand of moral law or natural law. This is what the categorical imperative commands persons to accept as duty, since it is the condition of making it possible to

follow his moral duty for everyone without coming into conflict with each other so that a kingdom of ends is possible.

How does one abandon the state of nature to unite with everyone else? The answer is clearly stated by Hobbes. To unite with everyone else "is to confer all their power and strength upon one man, or upon one assembly of men, that may reduce all their Wills, by plurality of voices, unto one will: which is as much as to say, to appoint one man, or assembly of men, to bear their persons and everyone to own and acknowledge himself to be the author of whatsoever he that so bears their person shall act, or cause to be acted in those things which concern the common peace and safety, and their in to submit their wills, everyone to his will, and their judgements to his judgement. This is more than consent or concord; it is a real unity of them all, in one and the same person made by covenant of every man with every man, in such manner as if every man should say to every man, I authorize and give up my right of governing myself to this man or to this assembly of men, on this condition that thou give up thy right to him, and authorize all his actions in like manner."[12] According to Hobbes the essence of civil society is "one person of whose acts a great multitude, by mutual covenants one with another, have made themselves everyone the author, to the end he may use the strength and means of them all, as he shall think expedient, for their peace and common defense."[13] And for Hobbes "he that carries this person is called Sovereign."[14]

So we can say that according to modernity, subjection to a single sovereign is the ground of social unity. And as the act of authorization through contract makes it clear that the sovereign is above law, not bound by law yet he has the supreme power to make laws. And here comes the idea of positive law. The law, laid down by "the sovereign, is the positive law of the realm".

Natural law lawyers argue that although the sovereign lays down the positive law, yet positive law cannot be binding

unless it conforms to the natural law, since it is to make it possible to follow natural law that the sovereign is instituted in the first place. So the positive law can have the force of law only if it conforms to the natural law. That is to say positive law ought to conform to the natural law to be obligatory. But natural law theorists must face the question how to make the sovereign legislate according to natural law within their scheme of things. In their philosophy there can neither be higher authority nor the right of revolution to make the sovereign conform to law of nature. There is no history either to pin one's hope on it to produce natural law state.

We must face another more fundamental question whether the sovereign can be established or state can be founded from state of nature by institution in the manner described by Hobbes above. The answer is in the negative. To institute sovereign by mutual covenant is the moral obligation of each person in the state of nature. Yet the reason tells the individual that in the state of nature it is in his own self-interest not to discharge this obligation (The Empirical Argument). Even if it is in his interest, what is the guarantee that other will discharge their obligation to enter the contract (The Transcendental Argument). The condition of discharge of moral obligation will arise only if there is already a sovereign in existence. So the moral obligation to institute a sovereign through contract can be discharged only if there is already a sovereign in existence. Hence infinite regress follows. So sovereign cannot be established by institution. What is the way out?

Remember that this argument is going on in the consciousness of the subject who has taken the stance of the subject to society and conceives others as subjects and conceives them all as individuals in the state of nature and still grappling with the question how to create the civil society. And the answer is also supplied by Hobbes that institution of the coercive political order is just an imaginary analytic idea to determine what are its elements. (Kant will agree with Hobbes on this point that the state of nature is a Hypothetical Idea of Reason

and not a historical state of affairs). Actually the sovereignty is established by acquisition or conquest according to Hobbes.

Hobbes of course tries to analyze the acquisition of sovereign power in terms of contract which of course is a failure. It was Machiavellin who really understood the dynamics of the acquisition of sovereign power. The subject who has taken the stance of subject to society, is the Prince, the individual with a will to power or will to found the state i.e. endowed with *virtu* as conceived by Machiavellin. The prince had merely conceived others as individuals, they were never individuals, they (excluding himself) were in society, a mere natural mass of society. The mass of society, a natural phenomenon was there in front of him to get knowledge of, the knowledge formed and categorized, the knowledge of causality operating in society in space and time, the knowledge of empirical necessity. It is only through the knowledge of necessity that will can operate, the Prince can operate.

The Prince wants to beat his own *fortuna* by the stick of *necessita*. The Prince wants to overcome the Greek tragedy that is being enacted with him by *fortuna*, for which he comes out of the natural mass of society, take it in his own hands by the Machiavellian prescriptions. Machiavellin scholars have noted the lonely figure of Prince buffeted by *fortuna,* deciding because of his own *virtu* i.e. will or dynamic vital power to create and maintain state with the help of *necessita,* the causal power, which is the means of bringing sluggish masses into form required by *virtu* to beat *fortuna*. "It is a picture of man, stripped of all transcendent good qualities, left alone on the battle field to face the demoniac forces of nature, who now feels himself possessed too of a demoniac natural strength and returns blow for blow. In Machiavellin's opinion *virtu* had a perfectly genuine right to take up any weapon for the purpose of mastering fortune."[15] The morality of good will and natural law can come into play only after the state has been founded and secured and the sluggish masses brought into the form required by *virtu* i.e. the masses have become

plural individuals in the state.

This Machiavellian solution is in harmony with Kantian metaphysics. In the Kantian theory since the noumenal self or transcendental ego is the locus of transcendental synthesizing activity and also the locus of will then in the world of nature there is room for only one empirical self and others are mere masses of bodies to be manipulated by that single will by the knowledge of necessity to give any desired shape (say liberal state of natural law variety).

Even in his political theory Kant came quite close to the monarchical tendencies of Machiavellin, when dealing with the question of the political action if the king does not follow the requirement of moral law or natural law. Since there can be no political superior to enforce it, it must be left to the will of the king to follow the requirement of political morality as citizens cannot have the right of revolution to enforce it.

In his historical writings Kant pinned his hope on history to realize the natural law state as its telos. But like tradition and society, history as the sway of past over the present can have no empirical reality in Kantian metaphysics as no one belongs to history if all are individuals. So the only solution of translating the natural law into an actual political order is the Machiavellian solution in Kantian scheme of things or in the metaphysics of modernity.

So we are left with not only without any hope of embodying natural law in positive law but end up being manipulated by the Prince.

If my deduction is correct then, as it shows the structure of modern mind as it has developed over centuries, it must be a part of every modern psyche. Yes, the activist in us who wants to manipulate the society for one's own advantage, and who uses the laws, and knowledge as shields and weapon against others for the capture of power at any level of generality is the shadow of prince left in our individual psyche by history of modernity. Remember if the deduction is correct, then there

can be no activism for establishment of positive law embodying natural law so long as we remain individuals. It is just a pretence and even if it is not a pretence there is a gap between the intention that we think we have and the real intention. How can this gap be closed? How can we achieve the authentic being to indulge in political action?

The Prince we have deduced must be pushed back into the society with its tradition and history from which he came to become an individual. He must be pushed back into society denying him his individuality and consequent non-differentiation of is and ought, *Willkur* and *Wille*. Only by interpreting the transcendental ego as social being with tradition and history that the Prince can be tamed.

Utilitarian like Bentham, Austin who are also legal positivist thinkers realizing the difficulty involved in embodying natural law in positive law and establishment of sovereignty in the state of nature, criticize the idea of natural law, state of nature, natural right etc. as figment of imagination and ignore the question of how to make the positive law conform to moral law and how to establish sovereignty, but take the society as already constituted as interaction of individuals as they accepted the metaphysics of individualism. If society is taken as interaction of individuals then the identity of society must be based on the identity of sovereign. That is to say society is nothing but subjection of all to a determinate sovereign as argued before. Bentham is quite explicit, "where a number of persons are supposed to be in the *habit* of paying obedience to a person, or assemblage of persons of a known and certain description (whom we may call governor or governors), such persons together (subjects and governors) are said to be in a state of political society."[16] The laws laid down by the sovereign, are the positive law of the land or the commands of the sovereign are laws i.e. positive laws. These laws are binding, independent of whether they embody morality or not, according to positivist. But legal positivist face problem from another direction. Sovereignty is of necessity unlimited if based

on individualism alone. So if society is nothing, but an assemblage of persons obeying a sovereign together with sovereign, then there must be sovereign in all existing societies which have positive laws. But in no society such a sovereign who is unlimited can be found yet they have positive laws. So we must take sovereign to be limited as argued by Bentham and before him Bodin. According to Bentham sovereignty can be limited by express convention, by religion or political considerations, while according to Bodin sovereignty is limited by natural law, *leges imperii* and property. But these limitations create problems. If political society is defined in terms of subjection to sovereign then the society cannot have law, which can bind the sovereign, and if sovereign is limited by law of whatever kind then these laws of society and society, itself, has existence independent of the sovereign, rather sovereign is created and limited by the law of the society. So legal positivists who took society definited by sovereignty and took sovereignty as unlimited can find no example of such sovereign. And those legal positivists, who took sovereign to be limited, must assume society and some of its laws having prior existence and hence all the laws of the society cannot be command of the sovereign.

It is obvious that *dharma* cannot be identified with positive law as it is not a command of the sovereign, rather we are bound by *dharma* due to our belongingness to an ongoing community.

III. Ontology of Līlā

If my analysis of section II above is correct then the individualist political order of modernity is sustained by our prior belonging to a society with customs and history. If there is a breakdown of the traditional society then we are in a state of nature. And as argued there is no hope generating individualist political order but what results, is a complete dominance of others by Prince. If there is a breakdown of the traditional society then there will take place the complete atomization of individual experiencing loss of community with

others and as a consequence there will occur a quest for community to replace the lost community. When there is wide spread atomization of individual and experience of loss of membership and allegiance, there occurs a situation in which Prince is readily accessible to influence by commoners and commoners are readily available for the prince. When both Prince and commoners lack traditional social insulation, there occurs mass mobilization resulting in totalitarian movement and a pseudo community in which there is total dominance by the Prince, is generated.

So the question we must face is that if individualist political order of modernity is sustained by our prior belonging to a society with its customs and history i.e. without complete individualization of members, in fact modernity itself assuming the form of a tradition, then what kind of understanding must we have of this tradition of modernity? What is the structure of modernity which is embedded as a tradition in a society which has other traditions too? But I shall not pursue this question in this paper. It suffices here to point out that this individualist political *tradition* has been articulated by Rawls and Dworkin. I shall not pursue this line of thinking in this essay.[17] But it must be mentioned that in the composite tradition which we live in India, the individualist political tradition has a controlling power over other traditions including the *Dharma Śāstra* tradition. Yet if the individualist political tradition is to be sustained we must conceive ourselves as belonging to a society which has other older traditions including *Dharma Śāstra* tradition.

To draw out the truth claim of a tradition we have to articulate the nature of our belongingness to tradition. That is to say we have to articulate the nature of our being-in-the world in its primordial unity.

Līlā or *Krīḍā* or play is the way of our being-in-the-world according to *Dharma Śāstra* tradition. This *saṁsāra* is the *līlā* of *Brahman*. So what is the mode of being of *līlā* or *Krīḍā*?[18] First of all we must lose ourselves in the *līlā* for the *līlā*

fulfils its purpose only if the essential nature of *jīva* is concealed and the *jīva* loses himself in the *līlā,* that is to say the *jīva* must acquire the seriousness of *līlā. jīva* essential character as *Brahman* is concealed by *Māyā* due to its power of *āvaraṇa.*

The mode of being of *līlā* does not permit the *jīva* to behave towards the *līlā* as to an object what takes over is the *līlā.* That is today *līlā* has primacy over the consciousness of the *jīva.* The subject of the *līlā* is not the *jīva,* rather the *jīvas* are merely the way the *līlā* comes into presentation. In fact since there is not object there is no subject either. The subject-object dichotomy does not apply when the *jīva* loses himself in the *līlā.*

So "all playing is a being played" (95) "The charm of play, the fascination it exercises, consists in the fact the game becomes the master over the players.... The one tries is in truth the one who is tried". The real subject of the game is not the player but the game itself (95-96).

To say that the *līlā* takes over or plays the *jīvas,* is not to imply that an object takes over where the *jīva* leaves off. Quite the contrary the *jīva* loses itself precisely when it does not stand over against an object itself, when it no longer treats the *līlā* as an object but as something it joins, gets caught up in and finally belongs to.

Yet the *līlā* properly exists only when it is played by *jīva. Brahman* plays the *līlā* in the appearance of *jīva* due to *vikśhepa śakti* or *māyā.* So we can say *līlā* properly exists when subject and object coalesce so that subject is no longer subject and object is no longer object. That is to say *līlā* itself is the playing of it.

When it is stressed that the *līlā* is something that happens to us the *jīvas,* when our participation appears as subjection as the *līlā* becomes the master one is not expounding any kind of determinism, but only limiting the freedom. To play is to sacrifice freedom and accept limits. Being limited is a condition of playing at all. So *jīva* caught in the *līlā* has his

freedom limited in the *līlā*. It is the spirit of *līlā* or game that limits freedom.

Yet freedom is also necessary for play, a game that permits no freedom is no play, is simply no longer a game. Essential to game is the freedom of movement to end from, back and forth. There is such a freedom that no game is ever played twice identically, and for all this variety, it is still one game. Playing necessarily includes the freedom for infinite variety even within finite limits. So *Brahman* in the appearance of *jīva* caught up in *līlā* retains freedom for variety within finite limits.

The purpose of the game is merely to be played. The task of the game is finally just to play the game, to play it for no end other than playing it, and thus to play it without end. The participation of *Brahman* in the appearance of *jīva* in the *Brahma līlā* is for no purpose extrinsic to the *līlā,* it is for the sake of *Krīḍā* that *Krīdā* must go on.

To play something is also to present it. That means that the game presents itself, plays itself out, but it also means that the players present themselves in it. So in *līlā* not only *līlā* comes into presentation but also *Brahman* comes to present itself in the form of or appearance of *jīva* caught in *līlā* due to *vikśhepa śakti* of *māyā*.

Here it may be argued that the game cannot come into existence without the absorption of the self with its freedom and limitation in the play. But why take it to be the basic mode of our being in the world, or the basic mode of the being of *jīva* in the *saṁsāra*? Why not that of the spectator of the play or the *sākṣi* of *līlā*? Is the spectator or *sākṣi* not in an epistemic relation to the play or *līlā*? Is the *līlā* not an object for him?

Where the task of the game is representation of itself, there is also the potential for representation to someone else who is not playing. Play is representation-of. It also is representation-for. When a game's presentation to an audience

is its *raison detre* and when this audience is only an audience, the play becomes a performance. The game appears to be audience as a self-contained whole, detached from his life, indeed it undergoes what Gadamer terms "transformation into structure". Only when the *līlā* takes place for a *sākṣi* that it is transformed into a structure or *ākāra* or *ākṛti*. The *sākṣi* cannot interfere in the *līlā,* yet it is open to him, it is a representation for him. What is representation for *sākṣi* has the possibility of meaning. The *sākṣi* too belongs to the *artha* or meaning of the *līlā*. Hence the *līlā* is the whole consisting of *jīva* as *kartṛ* and *sākṣi*. This idea has affinity with the early Greek idea of *theoros,* the witness to the sacred festival. "Theoria is a true sharing not something active, but something passive (pathos), namely being totally involved in and carried away by what it sees" (111). This is the mode of being of *sākṣi,* who is not merely an epistemic observer.

The detachability of the play from *jīvas* as *kartṛ* and *sākṣi* is the metamorphosis or transformation of the *līlā* into structure or *rūpa* or *ākṛti*. When the *līlā* is transformed into a *ākāra,* anyone can represent it and it can be represented at any time. That is to say *līlā* becomes repeatable. The form, *rūpa* or *ākṛti* or the meaning or *artha* of *līlā* is no more no less than the repeatability of *līlā,* it is what allows the *jīvas* as *kartṛ* and *sākṣi* to keep changing while the *līlā* is still the same *līlā*.

At this point there is a possibility of an objection. How can our being-in-the world be interpreted as the emersion of the actor and spectator in the play? Actor is playing on the stage while the spectator cannot enter the stage, his entering it would destroy the play itself. So our immersion in *saṁsāra* cannot be of the *nahre* of *kartṛ* and *sākṣi* simultaneously since it is a contradiction. How can we get out of this contradiction?

The answer lies in transformation of *līlā* into form or *ākṛti* and meaning or *artha* i.e. its repeatability, its permanence. The *līlā* does not have form but rather is form and that means

that the whole of the work not some element of structure in it, is permanent. However this permanent whole changes in being repeated. This is how we understand *saṁsāra* as *vivarta* of *Brahman.* The principle of permanence in change requires temporal understanding of the form. According to *bhartṛhari kāla śakti,* the power called time is the most important power of *Brahman* apart from *māyā.* It is mentioned at the very beginning of *vākyapadīya.*

Our being-in-the-world with our immersion in it is radically temporal. And this temporal or historical nature of our being-in-the world or this temporal or historical nature of the *jīva* self helps in avoiding the contradiction mentioned above. We the *jīvas* are spectators or *sākṣis* of the festival which has been celebrated in the past. The temporal difference ensures our condition of being a *sākṣi,* we cannot go back to the past to interfere in it. *Jīvas* are actors or *kartās* of the festival that is being celebrated now. Hence there is no contradiction. But this condition of historicity of being-in-the world has to be understood properly.

The *sākṣis* of *līlā* that has taken place in the past, are themselves would be actors or *kartās* of the *līlā* that is continuing. Since there is no telos of the cosmic *līlā* outside itself, the would be actors become spectators of the *līlā* to learn how to continue *līlā* themselves.

When the *līlā* is transformed into form what is transformed into form is the very truth, the *sat,* i.e. *Vyavahārika sat.* The play is "raised as it were through representation to its valid truth with respect to recognition of the true, the being of the representation is more than the being of the material presented" (103). The spectator has the joy of recognition of the truth of *līlā.* To recognize is to know for the first time what something truly is to know it in its essence. When the *līlā* is represented by *kartā* and recognized by the *sākṣi* as something it becomes something more than what is was, and that "more" is that it becomes itself more fully. Here "truth" is being applied to be *līlā* and that too in the quantified

form or form of degrees. *Vyavahārika sat* is interpreted in the form of degrees or quantified form. We can say in this way that through representation and recognition *truth is formed,* truth is given form, *Vyavahārika sat* acquired form or *rūpa,* truth comes into being. Representation and recognition i.e. interpretation is the mode of being of truth or *Vyavahārika sat.* Interpretation is not something ancillary, accidental or superfluous that can be separated from the *Vyavahārika sat* or truth proper.

Although *anvaya* belongs to the truth and hence non-separable from it yet it is possible to distinguish different interpretations of *vyavahārika sat. Anvaya* of *līlā* and its truth are also different in different historical periods.

The *līlā* and its truth is the multiple possibilities of its *anvaya.* Therefore there can be no determinate criterion of correct interpretation nor any single correct canonical interpretation. Yet it is also the case that every interpretation strives to be correct. How is it possible to recognize a correct *anvaya* when criterion is not given and cannot be given?

Decision on the basis of non-given rule is the function of taste, judgement and commonsense. There are then correct interpretation that belongs to the *līlā* and its truth. It is *abhyanujñā (=granting of permission) of kāla* that makes us apprehend the correct interpretation and it is *pratibandha* (=prevention) of *kāla* that makes us reject the other alternatives as incorrect. In correct interpretation representation or medium is undifferentiable from *līlā* itself. That is to say reproduction does not become thematic. When the medium does become thematic the attention paid to the interpretation itself is sign of some critical failure, such attention is the index of an interpretation that does not belong to *līlā* and its truth i.e. this interpretation is not *yuktiyukta* and it must be explained by appeal to interpreting minds of players and spectators. But in a correct interpretation of the play and its truth, aesthetic consciousness, consciousness of players and spectators is part of the event of being of *līlā* that occurs in representation and

belongs essentially to the *līlā* as *līlā*. This is the nature of *upapatti* as a mark of truth which must be respected in *anvaya* with *sat lingas* as explained in the first section. Since correct interpretation belongs to the *līlā* its apprehension through *anvaya* cannot be construed as a *methodic act* of *sākṣi* but something that *happens* to him, like the *jñāna* of *Vedānta*.

However long the history of repetition of *līlā*, the *līlā* is wholly contemporary with each age in which it is understood, its *dharma* is understood. It does not transport the *anvayī* into another time, another world. "It is the truth of his own world... in which he lives, that presents itself to him and in which he recognizes himself" (113). The present of the *līlā* to the *anvayī* is not an immediacy that is given but one that is achieved. The *līlā* must be performed. The task of performance is to mediate the *līlā* in such a way that medium is not differentiated from what is mediated i.e. *līlā*. The identity of *jīva* is not a given but a task to be achieved. How does this task of mediation take place, which always takes place differently?

Self understanding of *jīva* is inevitably involved in understanding of *līlā*. To understand the *dharma* of *līlā* is to understand and *dharma* of *jīva* in it. Self understanding is not exterior or superior to understanding *līlā* but intrinsic to it. It describes not what interpretation *should be* still less what it *should not be* but instead what *anvaya* always is.

As we have explained in Section I *anvayī* performs an act of projection. He projects in advance a sense of the whole as soon as an initial sense appears. And what is projected is expectation that precedes the text. If *anvayī* merely waits passively for meaning without anticipating it none will appear. Hence understanding can take place only in light of a projection of a prejudice.

According to modernity the whole task of understanding is the elimination of prejudices. This is because modernity shares the prejudice of the enlightenment and especially the essential one. "This fundamental prejudice of the enlightenment

is the prejudice against prejudice itself, which is crippling of tradition" (239-40).

Our openness to understanding does not mean that we present ourselves as a blank state ready to be inscribed. History is prior to *jīva* and has a predetermined influence on him. Prejudices which from the viewpoint of enlightenment rationalism appears, as obstacles to understanding are historical reality itself and the condition of understanding it. It is history of *līlā* that prejudices us and these prejudices are the media by which the history of our being in the world becomes accessible to our understanding.

The concept of prejudice is closely related to two other concepts that Gadamer seeks to restore and defend against enlightenment prejudice i.e. authority of person and tradition. In these he sees the condition of legitimization of prejudice. For this Gadamer re-examines prejudice in order to determine the ground of its legitimacy.

Descartes distinguishes two kinds of prejudices those that arise from haste and those from reliance on authority. Haste gives rise to error in the use of reason, but authority in Descartes view responsible for not using one's own reason at all. According to Gadamer prejudices which arise out of haste are constantly modified as understanding proceeds. But prejudices implanted by *authority* are less tentative and more lasting and hence antithesis of reason and authority is not tenable. Authority is not a matter of blind obedience to person in power and avoidance of one's use of reason. According to Gadamer, "It is true that it is primarily persons that have authority, but the authority of person is based ultimately, not on subjection and abdication of reason, but on recognition and knowledge – the knowledge, namely that the other is superior to oneself in judgement and insight and that for this reason his judgement takes precedence, i.e. it has priority over one's own – Authority in this sense, properly understood, has nothing to do with blind obedience to command. Indeed, authority has nothing to do with obedience but rather with knowledge" and

acknowledgement of authority "is to that extent an act of reason which recognizing its own limits trusts to the better insight of the other" (248). For Gadamer "Thus the recognisition of authority is always connected with the idea that what authority states is not irrational and arbitrary but can be seen in principle to be true. This is the essence of the authority claimed by the teacher, the superior and the expert. The prejudices that they implant are legitimized by the person himself. Their validity demands that one should be biased in favour of the person who presents them. But this makes them then, in a sense objective prejudices, for they bring about the same bias in favour of something that can come through other means e.g. through solid grounds offered by reason" (249).

Gadamer also questions the enlightenment contrast between reason and tradition. All reason, for him, functions within tradition. There is a deformation of the concept of tradition when we think of it as the "dead weight" of the past. A living tradition not only informs and shapes what we are but is always in the process of reconstitution. Gadamer writes, "It seems to me, however, that there is no such unconditional antithesis between tradition and reason.... The fact that tradition is constantly an element of freedom and of history itself. Even the most genuine and solid traditions do not persist by nature because of the inertia of what once existed. It needs to be affirmed, embraced and cultivated. It is essentially preservation, such as is active in all historical change. But preservation is an act of reason though an inconspicuous one. For this reason, only what is new or what is planned appears as the result of reason. But this is an illusion. Even where life changes violently as in ages of revolution far more of the old is preserved in the supposed transformation of every thing than one knows, and combines with the new to create a new value. At any rate preservation is as much freely chosen action as revolution and renewal. This is why both the enlightenment critique of tradition and its romantic rehabilitation are less than their true historical being" (250).

So Indian *Dharma Śāstra* tradition is correct in recognizing *śabda pramaṇa* as the only basis of knowledge of *dharma*. But it was never utilized to accept anything and everything that has been handed down from the past rather it is meant to accept systematized tradition i.e. tradition that has been interpreted.

Anvaya with its hermeneutic circle has positive ontological significance. *Anvaya* is part of the process of coming into being of meaning of *līlā* of the form of *līlā*. For of *līlā* is coming into being through the happening of understanding of *dharma* of *līlā*. It is only the *sākṣi* by its engrossment in the *līlā* bring into completion the coming into being of the form of *līlā* by understanding its *dharma* and his own *dharma* in it.

In the context of history our condition of being a *sākṣi* is ensured by the temporal distance. But as argued before we also need prejudices to understand the past of *līlā*. These are produced in us by the working of the effective history. The temporal distance is not a vast emptiness; it is filled with the continuity of tradition, the ground of our projections and prejudices. So we can say understanding is made possible by it's belonging to and being part of effective history.

Effective history alone is not enough to explain how it is possible understand *dharma* of *līlā*. There must also be effective historical consciousness. This refers to the fact that not only the consciousness of *jīva* is effected by history of *līlā* but that it is also conscious of this fact. It is self consciousness, yet we need to remember that "being historical means never dissolving into self knowledge" (269). There is always a remainder, an excess of what we are beyond what we know of ourselves that makes self-consciousness incomplete. (This incompleteness of self knowledge is an essential condition of emersion of *jīva* in *līlā* due to *āvaraṇa śakti* of *māyā*. If there is complete self knowledge then we are liberated from *saṁsāra* and can no longer be in *līlā*). This excess of ourselves of which we are aware but can never overcome in *līlā* is like a horizon which we carry along with ourselves. Even if

we become aware of it there is no stopping out of it as it moves with us. When understanding takes place we do not jump out of our horizon into an alien horizon of distant past. This is impossible. "Understanding is always the fusion of these horizons supposedly existing in themselves" (273). By this fusion our own horizon is enlarged and enriched. Understanding always projects the unity of a shared truth.

Since understanding is inextricably interwoven with interpretation to achieve fusion of horizon, it is also application without which there can be no fusion of horizon. That is to say understanding, interpretation and application are not three independent activities to be relegated to three different sub disciplines but are rather internally related. A point which becomes quite clear when we look at the idea of *anvaya* as explained in the section I. The idea that mark of *sat* is that it be *phalaprada* refers to the moment of application which is also ensured by *arthavāda* and *upapatti.*

Remember that in the ontology of *līlā* our understanding of *dharma* of *līlā* that has taken place completes the coming into being of truth or form of *līlā,* but on our part the understanding of *dharma* of *līlā* gets completed when we leave the stance of *sākṣi* of *līlā* of past and join the presence of *līlā* as *kartṛ* or actor. This present performance as actors of *līlā* is our understanding of *dharma* of *līlā,* our interpretation or *anvaya* of the *līlā* going on.

Hence we can say application happens in all reading so that the *jīva* who reads the *śāstras* of tradition is himself within the meaning or form of tradition he brings into being by apprehending *dharma.* In a way he adds his own understanding to the text. Hence "line of sense that reveals itself to him as he reads will always break off in an open ended indeterminacy" (304). The circle does not close because the aspect of the *śāstra* that he does not fully understand is precisely that which he has contributed to it. "He can and indeed must admit that coming generation will understand differently what he has read in the text" (304). The moment of application

open up the necessity and possibility for future interpretation. The *sākṣi* understands the *līlā* to perform himself as *kartṛ*, but the form of the *līlā* that he has performed will be completed and brought into being by the *sākṣis* of his *līlā* in future.

So let me stop here my part of the *līlā* for the time being and leave it for its *sākṣi's* to understand what has happened in the *līlā*.

Notes and References:

1. The fourth *sutra* of Bādrayana's *Brahmasutra* says
   तत्तु समन्वयात्।
   for the determination of the purport of the *śāstra*.
   Eminent authors of *Dharma Śāstra* tradition made efforts to bring *samanvaya* among *Srutis* and *Smṛtis* according to P.V. Kane, *History of Dharmaśāstra*, Vol. V, Part II, Second Edition, Bhandarkar Oriental Research Institute, Poona, 1977, p.1273.
2. The *Vārttika* of Kumārila Bhatta mentions only the first six *lingas*:
   उपक्रमोपसंहारवभ्यासो पूर्वताफलम्।
   अर्थवादोपपत्ती च लिङ्गतात्पर्यनिर्णये॥
   But the practice of *anvaya* shows that, without being conscious, *vyatireka* is also included in the determination of purport even by the *mīmāṁsakas* themselves as they treat only *vidhivākyas* to be the coretext with some related *arthavāda vākyas* which are given only secondary importance. Other *vākyas* of *veda* are not treated at all.

   Kane writes about *smṛtis*, "...they often differ so much from each other that even eminent authors and works like the *Mitākśarā* had sometimes to give up in despair the idea of bringing order out of the welter of *smṛti* passages and in their efforts at *samanvaya* had to say that certain *smṛtis* refer to a former *Kalpa* or *Yuga*". *History of Dharmaśāstra*, Vol. V, Part II, p. 1273. *Vyatireka* refers to arguments of any kind for the discounting of some portion of the texts in the determination of its purport.
3. In my interpretation of the *Sat Lingas* I had to depart

considerably from the various traditional readings to make it a living reality to be guide to our own contemporary efforts at *anvaya* of *śāstras* and hence does not reflect merely the antiquarian interest. Here I had to take help of hermeneutics and deconstruction for the interpretation of the *Sat Lingas.* No doubt a full treatment requires that the *purvapaksa* and its refutation be given first before giving the *siddhānta,* but that would have turned the paper still longer.

4. वागरूपता चेद् उत्कामेद अवबोधस्य शाश्वती।
न प्रकाशः प्रकाशेत् सा हि प्रत्यवमर्शिनी॥

(Vākyapadiya I.116)

Unfortunately the extant text of *Vākyapadiya* or commentaries on it fail to throw any light on what *pratyavamarsa* is. According to K.A. Subramania Iyer, it means recognition cum identification; *Bhartrhari: A Study of the Vākyapadiya in the Light of the Ancient Commentaries,* Deccan College, Poona, 1969, pp. 105-108. He over plays *prakāsa* aspect of *Vāk* but does not emphasize *vimarsa* aspect of *Vāk* and he emphasizes the *ahampratyavamarsa* as the essence of *prakāsa* but forgets that *ahampratyavamarsa* or I consciousness can arise only in *Asmad-Yusmad* structure or *vimarsa* through which recognition of the identity of object of *vimarsa* emerges.

5. The idea of *adhikaraṇa* also includes the idea of asking of open questions. An *adhikaraṇa* consists of (1) the topic of discussion, (2) the doubt about it, (3) the prima facie view, (4) the refutation of the prima facie view, (5) the final conclusion:
विषयो विशयश्चैव पूर्वपक्षस्तथोत्तरम्।
निर्णयश्चेति पञ्चाङ्ग शास्त्रेधिकरणं स्मृतम्।
quoted *Tithitatva* of Raghunandan p. 92. *Adhikaraṇa Kaumudi* of Ramkṛṣna (Chaukhamba Series), *Sarvadarśan Kaumudi,* p. 89 (Trivandrum Sanskrit Series). Some read निर्णयश्चेति सिद्धान्त Others like Mādhavācārya set out the five as विषय, विशय (or सन्देह), सङ्गति, पूर्वपक्ष और सिद्धान्त cf. P.V. Kane, *History of Dharmaśāstra,* Vol. V, Part II, p.1182.

The doubt about the topic of discussion which can be solved in both the primafacie view way and the view

opposed to it, is nothing but the hermeneutic open question which admits of multiple answers, only one of which is to be taken as correct.

6. Kant, Immanuel, *The Ground work of Metaphysics of Morals,* p.448/100.
7. Taylor, Charles, 'Hegel: History and Politics', in *Liberalism and Its Critics,* ed. Michael Sandel, Basil Blackwell Publishers Ltd., Oxford 1984, p.178.
8. Ibid, pp.177-178.
9. Kant, Immanuel, The Metaphysics of Morals, in *Kant's Political Writings,* ed. Hans Reiss, Cambridge University Press, Cambridge, 1970, p.137.
10. Ibid, p.137.
11. Ibid, p.137.
12. Hobbes, Thomas; 'Leviathan' in *Great Political Thinkers,* William Ebenstein Oxford & IBH Publishing Co., New Delhi, 1969, p.372.
13. Ibid, p.372.
14. Ibid, p.372.
15. Meinecke, Friedrich; 'Machiavellin', in *Essays in the History of Political Thought,* ed. Isaac Kramnick, Prentice Hall, Inc., Englewood Clifts, New Jersey, 1969, p.120.
16. *A Fragment on Government,* Chapter I, para 10.
17. This line of thinking is followed in my paper "A Post-modern Understanding of the conception of Man, Nature and Society in the Tradition of Modernity", presented at National Seminar on Man, Environment and Society, December 21-23, 1994, Department of Philosophy, Jadavpur University, Calcutta.
18. I have followed the phenomenology of play developed by H.G. Gadamer in his *Truth and Method,* Sheed and London, 1975 for the development of my ontology of *Līlā.* All the references in parentheses in the text of the present paper from this point onwards mention the page number of *Truth and Method.*

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